

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

HARRY SMITH, JR. and
ROSLYN WOODARD SMITH,
Individually and as Administrators of
The ESTATE OF HARRY SMITH, III,

Plaintiffs,

v.

CIVIL ACTION NO. 04-1254-GMS

CITY OF WILMINGTON,

JOHN CIRITELLA, in his individual capacity
and in his official capacity as a police officer of
the Wilmington Police Department,

THOMAS DEMPSEY, in his individual capacity
and in his official capacity as a police officer of
the Wilmington Police Department,

and

MATHEW KURTEN, in his individual capacity
and in his official capacity as a police officer of
the Wilmington Police Department,

Defendants.

**PLAINTIFFS' UNOPPOSED MOTION FOR ENLARGEMENT
OF TIME TO COMPLETE DISCOVERY AND TO FILE EXPERT REPORTS
AND
CERTIFICATION OF COMPLIANCE WITH LOCAL RULE 7.1.1**

Plaintiffs, by their counsel, hereby respectfully move this Honorable Court for
the following order:

- 1) moving the date for the close of discovery (except expert witnesses) from
May 31, 2006 to June 9, 2006; and
- 2) moving the date for expert reports from May 31, 2006 to June 30, 2006.

All other scheduling order dates will remain the same.

As grounds for this motion, plaintiffs state:

a) Plaintiffs' attorney Anne Sulton has discussed this motion with defense attorney John Parkins. He does not oppose this motion.

b) Counsel for plaintiffs and defendants have been diligent, exchanging thousands of pages of documents, per numerous discovery requests, and are in the process of completing depositions.

c) There is no prejudice to any party should the Court grant this motion.

Respectfully submitted this 25th day of May 2006.

/s/Anne T. Sulton
Anne T. Sulton
Attorney for Plaintiffs
Sulton Law Offices
Post Office Box 2763
Olympia, WA 98507
Telephone: (609) 468-6029
E-mail: annesulton@comcast.net

LOCAL COUNSEL:

Kester I.H. Crosse
Delaware State Bar I.D. #638
1214 King Street, Wilmington, DE 19801
Telephone: (302) 658-3488
E-Mail: kesterih@aol.com

CERTIFICATE OF SERVICE

I hereby certify that on May 25, 2006 I electronically filed the foregoing Plaintiffs' Motion with the Clerk of Court using CM/ECF which will send notification of such filing(s) to the following e-mail address:

Attorney John Parkins: Parkins@rlf.com

/s/Anne T. Sulton
Anne T. Sulton
Attorney for Plaintiffs
Sulton Law Offices
Post Office Box 2763
Olympia, WA 98507
Telephone: (609) 468-6029
E-Mail: annesulton@comcast.net